

Baker & Hostetler LLP

45 Rockefeller Plaza

New York, New York 10111

Telephone: (212) 589-4200

Facsimile: (212) 589-4201

David J. Sheehan

Email: dsheehan@bakerlaw.com

Marc E. Hirschfield

Email: mhirschfield@bakerlaw.com

Keith R. Murphy

Email: kmurphy@bakerlaw.com

Jonathan B. New

Email: jnew@bakerlaw.com

Adam B. Oppenheim

Email: aoppenheim@bakerlaw.com

Mark A. Kornfeld

Email: mkornfeld@bakerlaw.com

Melissa L. Kosack

Email: mkosack@bakerlaw.com

Anthony M. Stark

Email: astark@bakerlaw.com

Amy E. Vanderwal

Email: avanderwal@bakerlaw.com

*Attorneys for Irving H. Picard, Esq., Trustee
for the Substantively Consolidated SIPA
Liquidation of Bernard L. Madoff
Investment Securities LLC and Bernard L.
Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Hearing Date: January 6, 2011 at 10:00 a.m.

Objection Deadline: December 30, 2010

Adv. Pro. No. 08-1789 (BRL)

SIPA Liquidation
(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

**NOTICE OF MOTION FOR ENTRY OF ORDER PURSUANT TO
SECTION 105(a) OF THE BANKRUPTCY CODE AND RULES 2002 AND 9019 OF
THE FEDERAL RULES OF BANKRUPTCY PROCEDURE APPROVING AN
AGREEMENT BY AND BETWEEN
THE TRUSTEE AND UNION BANCAIRE PRIVÉE AND M-INVEST LIMITED**

Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff, by and through his undersigned counsel, will move before the Honorable Burton R. Lifland, United States Bankruptcy Judge, at the United States Bankruptcy Court, the Alexander Hamilton Customs House, One Bowling Green, New York, New York 10004, on January 6, 2011 at 10:00 a.m., or as soon thereafter as counsel may be heard, seeking entry of an order, pursuant to section 105(a) of the United States Bankruptcy Code, 11 U.S.C. §§ 101 et seq., and Rules 2002 and 9019 of the Federal Rules of Bankruptcy Procedure approving that certain Agreement by and between the Trustee on the one hand and Union Bancaire Privée, UBP S.A. (“UBP”) and M-Invest Limited (“M-Invest”),¹ on the other hand, as more particularly set forth in the Motion annexed hereto (the “Motion”).

PLEASE TAKE FURTHER NOTICE that written objections to the Motion must be filed with the Clerk of the United States Bankruptcy Court, One Bowling Green, New York, New York 10004 by no later than **5:00 p.m. on December 30, 2010** (with a courtesy copy delivered to the Chambers of the Honorable Burton R. Lifland) and must be served upon (a) Baker & Hostetler LLP, counsel for the Trustee, 45 Rockefeller Plaza, New York, New York

¹ All defined terms not otherwise defined herein shall have the meaning ascribed in the Motion.

10111, Attn: David Sheehan and Marc Hirschfield and (b) Wachtell, Lipton, Rosen & Katz, 51 West 52nd Street, New York, New York, 10019, Attn: Herbert Wachtell and Stephen DiPrima. Any objections must specifically state the interest that the objecting party has in these proceedings and the specific basis of any objection to the Motion.

Dated: New York, New York
December 6, 2010

Respectfully submitted,

/s/ Marc E. Hirschfield

Baker & Hostetler LLP
45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
David J. Sheehan
Email: dsheehan@bakerlaw.com
Marc E. Hirschfield
Email: mhirschfield@bakerlaw.com
Keith R. Murphy
Email: kmurphy@bakerlaw.com
Jonathan B. New
Email: jnew@bakerlaw.com
Adam B. Oppenheim
Email: aoppenheim@bakerlaw.com
Mark A. Kornfeld
Email: mkornfeld@bakerlaw.com
Melissa L. Kosack
Email: mkosack@bakerlaw.com
Anthony M. Stark
Email: astark@bakerlaw.com
Amy E. Vanderwal
Email: avanderwal@bakerlaw.com

*Attorneys for Irving H. Picard, Esq.
Trustee for the Substantively Consolidated
SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and Bernard L.
Madoff*